

/fw

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**SCHWINK, et. al.**

Examiner: Not Yet Assigned

Art Unit: 1614

Application No.: 10/779,853

Filed: February 17, 2004

Title: **SUBSTITUTED N-ARYL HETEROCYCLES,  
PROCESS FOR THEIR PREPARATION AND  
THEIR USE AS MEDICAMENTS**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

October 11, 2005

Date of Deposit

Brian Pritchett  
Signature

Brian Pritchett

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. 1.56, 1.97 AND 1.98**

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Applicants submit herewith patents, publications, and other information of which they are aware, which they believe may be material, as defined in 37 C.F.R. 1.56(b), to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 C.F.R. 1.56(a). While the information referred to in this Information Disclosure Statement may be material pursuant to 37 C.F.R. 1.56(b), the filing of this Information Disclosure Statement is not intended to, pursuant to 37 C.F.R. 1.97(h), constitute an admission that any patent, publication or other information referred to is, or is considered to be, material to the patentability of this invention. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information exists.

- ☒ (a) This Information Disclosure Statement is filed within the period set forth in §1.97(b) because it accompanies the new patent application submitted herewith, is filed within three months of the filing date of a national application or within three months of the date of entry of the national stage as set forth in §1.491 in an international application, or is believed to be filed before the mailing date of a first Office Action on the merits, whichever event occurs last. However, in the event that the first office action has been mailed, the Commissioner is authorized to charge any fees under 37 C.F.R. 1.17(p) or credit any overpayment to Account No. 18-1982.

- ☐ (b) This Information Disclosure Statement is filed after the period set forth in 37 C.F.R. 1.97(b), but is believed to be filed before the mailing date of a final action under §1.113 or a notice of allowance under §1.311, whichever occurs first.
- ☐ (1) The undersigned attorney certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement;
- ☐ (2) The undersigned attorney certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned attorney after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this statement; or
- ☐ (3) This Information Disclosure Statement is accompanied by a transmittal letter in which payment of the fee set forth in §1.17(p) and required by 37 C.F.R. 1.97(c) is authorized.

Respectfully submitted,



Barbara E. Kurys, Reg. No. 34,650  
Attorney/Agent for Applicant

Aventis Pharmaceuticals Inc.  
Patent Department  
Route #202-206 / P.O. Box 6800  
Bridgewater, NJ 08807-0800  
Telephone (908) 231-2965  
Telefax (908) 231-2626

Aventis Docket No. DEAV2003/0011 US NP

☒

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**Complete if Known**

*(use as many sheets as necessary)*

1

of

3

10/779.853

02-17-2004

**SCHWINK**

[illegible]

|  |  |
|--|--|
|  |  |
|--|--|

DEAV2003/0011 - US - NP

[illegible]

| Examiner<br>Initials <sup>*</sup> | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|--|--|--|----------------|
|                                   |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(If known) |  |  |  |                |
|                                   |                          | EP                      | 1176140             |                                      | USHIO, et. al.                                     | 01-30-2002   |  |                |
|                                   |                          | WO                      | 00/35454            |                                      | KO, et. al.  | 06-22-2000   |  |                |
|                                   |                          | WO                      | 00/61569            |                                      | ALCARAZ, ET AL                                     | 10-19-2000   |  |                |
|                                   |                          | WO                      | 00/71529            |                                      | FURBER, et. al.                                    | 11-30-2000   |  |                |
|                                   |                          | WO                      | 02/06232            |                                      | HU, et. al.  | 01-24-2002   |  |                |
|                                   |                          | WO                      | 02/06278            |                                      | MEHTA, et. al.                                     | 01-24-2002   |  |                |
|                                   |                          | WO                      | 02/098839           |                                      | ANNAKA, et. al.                                    | 12-12-2002   |  |                |
|                                   |                          | WO                      | 02/098871           |                                      | ANNAKA, et. al.                                    | 12-12-2002   |  |                |
|                                   |                          | WO                      | 02/099388           |                                      | WOOD, et. al.                                      | 12-12-2002   |  |                |
|                                   |                          | WO                      | 02/10146            |                                      | JOHNSON, ET AL                                     | 02-07-2002   |  |                |

Date Considered

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

☒

+

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

|   |   |    |   |                          |                         |
|---|---|----|---|--------------------------|-------------------------|
| Substitute for form 1449A/PTO<br><br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br><i>(use as many sheets as necessary)</i> |   |    |   | <b>Complete if Known</b> |                         |
|   |   |    |   | Application Number       | 10/779,853              |
|   |   |    |   | Filing Date              | 02-17-2004              |
|   |   |    |   | First Named Inventor     | SCHWINK                 |
|   |   |    |   | Group Art Unit           |                         |
|   |   |    |   | Examiner Name            |                         |
| Sheet   | 2 | of | 3 | Attorney Docket Number   | DEAV2003/0011 - US - NP |

[illegible][illegible]

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO:** Assistant Commissioner for Patents, Washington, DC 20231.

☒

+

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449B/PTO

(use as many sheets as necessary)

3

**O**

3

**Application Number**

|            |
|------------|
| 10/779,853 |
|------------|

Filing Date

|            |  |
|------------|--|
| 02-17-2004 |  |
|------------|--|

**First Named Inventor**

**SCHWINK**

Group Art Unit

Examiner Name

Attorney Docket Number

DEAV2003/0011 - US - NP

[illegible]Date  
Considered

4

+

**Burden Hour Statement:** This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.**